

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – PR&RD Dept. – Allegations of irregularities in construction of internal CC roads and drains in Nirmal Division of Adilabad District in MGNREGS – DCC works taken up by Panchayat Raj Dept. – Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District - Disciplinary proceedings under Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.326

Dated:06.05.2017

ORDER:

It is proposed to hold an enquiry against Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District, in accordance with the procedure laid down in Rule 20 of the Telangana Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II&III).

3. Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District, is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District, is further informed that if he does not submit his written statement of defence on or before the Period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District, is invited to Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub- Division Mudhol, Adilabad District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

To
Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj,
Sub- Division Mudhol, Adilabad District through the Engineer-in-Chief,
PR, Hyderabad

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The Engineer-in-Chief, PR, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The Director, Rural Development, Hyderabad, Telangana.

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE –I

(Annexure to G.O.Rt.No.326, PR&RD (Vig.I) Dept., dt.06.05.2017)

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI M.RAJ KISHAN REDDY, DY.EXECUTIVE ENGINEER, PANCHAYAT RAJ, SUB- DIVISION MUDHOL, ADILABAD DISTRICT.

CHARGE-I:

Sri M.Raj Kishan Reddy, Dy.Executive Engineer, PR Sub-Division Mudhol, Adilabad District has failed to execute the work at Sl.No. 1 & 2 in SC/ST habitations and executed the same in an open land allotted for the housing colony. As per the norms of MGNREGS issued vide G.O.Ms.No.389 dated 09.12.2011, the construction of the above works has to take place only in SC/ST Colonies where houses at least 50% SC/ST communities. The Dy.EE should know the rule position and perform his duties diligently. He has failed to discharge his duties and allowed the work in a open piece of land which is allotted for housing colony. Thus, he incurred a wasteful expenditure of Rs.68.00 lakhs which is loss to Government funds because of the negligence/inefficiency on his part. Therefore the charges of negligence and inefficiency, an amount of Rs.68.00 lakhs incurred for the above schemes became infructuous and needs stringent action against the erring officer.

CHARGE II:

Sri M.Raj Kishan Reddy, Dy.Executive Engineer, PR Sub-Division Mudhol, Adilabad District has executed the work at Sl.No.3 unscientifically and without proper layout plan, the quality of work carried out was also substandard. The Officer being a Dy.Executive Engineer failed to draw an outlay plan before executing the work. Further, he has failed to guide his sub-ordinate officer i.e AE to give any proper directions. The unplanned construction of drain caused stagnation of water resulting the drain became mosquito breeding grounds and cause the people menace to the public by creating a mosquito breeding centre because of his inefficiency and slackness. The very purpose of the work sanctioned was not achieved. Hence, the charge of carelessness and inefficiency on his part.

CHARGE III:

Sri M.Raj Kishan Reddy, Dy.Executive Engineer, PR Sub-Division Mudhol, Adilabad District has failed to inspect the works which are his prima facie duty to inspect the works plans with reference to quality and quantity before executing the work for making payment. But knowing fully well, that the colony does not exist in SC/ST colonies and still he recommend for making payments which clearly shows his negligence and irregularity in discharging his official duties. Hence, the charge of negligence and irregularity on his part.

CHARGE IV:

Sri M.Raj Kishan Reddy, Dy.Executive Engineer, PR Sub-Division Mudhol, Adilabad District has failed to recommend for payment to the supplier through cheques directly instead he avoided and issued cheque to the AE who made the payment through cash to the supplier directly. Who in turn made payment on vouchers above Rs.7.00 lakhs as "cash paid by me" which is non-transparency on his part. Thus, violation of procedure and norms of financial rules. This kind of cash payment involving action of three officers is resulting of misappropriation of Government amount conspiring and all with the common intension to misappropriation of the funds for their own by allowing substandard and inferior quality of works and therefore stringent action against defaulting officers needs to be taken. Hence, the charge of misappropriation of amount for his own benefit on his part.

Basis:

During the inspection of Commissioner, Rural Development along with the Dy. Executive Engineer, Quality Control Wing of PR, Department and PD, DWMA, Adilabad District for the following works are executed in the year 2014 under MGNREGS Scheme.

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Sl. No.	Name of the work	Estimated cost (Rs. In lakhs)	Actual Expenditure (Rs. In lakhs)
1	Construction of Internal Roads with CC Drains at Indiramma Colony (SC) Bit-1, Tanur (GP)	48.56	48.53
2	Construction of Internal Roads with CC Drains at Indiramma Colony (SC) Bit-2, Tanur (GP)	19.62	19.53
3	Construction of Internal Roads with CC Drains at Fakir Naik Thanda, Sirpalle (GP)	49.98	29.33
4	Construction of Internal Roads with CC Drains at Sirpalle (GP)	20.33	18.1

The work at Sl.No.1 & 2 were executed at a place where there are no habitation of SC/ST Colonies in an absolute vacant place of land which was proposed to be a housing colony. As per the guidelines, the work internal roads and drains is permissible only in SC/ST habitations where there is atleast 50% of SC/ST households. But, whereas the above works executed in a place where there was no habitations. In the list of proposed allotment of house-sites given by the MRO, it was observed that over 75% of the proposed allottees are from BCs and OCs, and the same clearly shows that the Executive Engineer, Sri J.Venkat Rao has deliberately made an attempt to circumvent the guidelines under the guise of SC Colony with an intension of just spending money for his apparent personal benefit without seeing whether money spent is useful or not and whether the guidelines are adhered to or not, and the net result of his action is a wasteful expenditure of Rs.68.00 lakhs of tax payers money.

The works at Sl.No.3 is incomplete. But the execution of the work is very substandard for which an amount of Rs.29.33 lakhs has already been spent. The CC Drain have been constructed very unscientifically without any layout plan made on a paper and without considering the slopes, and the drain appears as if they were contour trenches resulting in stagnation of rainwater and have become mosquito breeding centres, and therefore the people are very anguished about mosquito menace and unhygienic conditions created by the drains. The design plan and execution of CC drain in this habitation are highly unscientific and out of place and appear to have been made just to spend money without regard to utility and the purpose of which they are meant. In the road component also the execution is also highly substandard.

The work mentioned at Sl.No.4, the CC drain appears to have been laid routinely without layout plan and without application of mind.

It has also been observed that the Executive Engineer, PR Sri J. Venkat Rao, has drawn the large amounts of money upto Rs.20.00 lakhs in a single transaction towards the cost of materials directly into his account instead of GP Account or Supplier's Account on the pretext that he has allowed the departmental execution by the Rural Development Authorities. The Executive Engineer has taken money in his account later he gave cheque to the Dy.EE who in turn gave from his account to the AE and AE drawn and paid the amount in cash to the supplier in huge quantities even up to Rs.7.00 lakhs and above in a single transaction by signing and endorsing on the vouchers as "Paid by me ". The total transaction of his division for the past 2 ½ years is about Rs.20.00 Crores and the same is clearly shows irregular and in violation of financial norms and defeat the basis objectives of EFMS and also lack of transparency observed.

Therefore, Sri M.Raj Kishan Reddy, Dy.Executive Engineer, Panchayat Raj, Sub-Division Mudhol, Adilabad District has failed to discharge his legitimate duties. Thus his action is in violation of TCS (Conduct) Rules, 1964.

Hence the charge.

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER

ANNEXURE –II

(Annexure to G.O.Rt.No.326, PR&RD (Vig.I) Dept., dt.06.05.2017)

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.RAJ KISHAN REDDY, DY.EXECUTIVE ENGINEER, PANCHAYAT RAJ, SUB- DIVISION MUDHOL, ADILABAD DISTRICT ARE PROPOSED TO BE SUSTAINED.

Inspection report of the then Commissioner, Rural Development, Hyderabad along with the Dy.EE QC wing of PR department and PD DWMA dated 21.07.2014

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER

ANNEXURE –III

(Annexure to G.O.Rt.No.326, PR&RD (Vig.I) Dept., dt.06.05.2017)

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.RAJ KISHAN REDDY, DY.EXECUTIVE ENGINEER, PANCHAYAT RAJ, SUB-DIVISION MUDHOL, ADILABAD DISTRICT ARE PROPOSED TO BE SUSTAINED.

-Nil-

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER